

**Statement Regarding Release of the Redacted, Unclassified Version
of the Office of the Inspector General's Report Entitled "The Handling
of Intelligence Information Prior to the September 11 Attacks"**

On June 7, 2005, the unclassified, redacted version of the Office of the Inspector General's (OIG) report that examined the Federal Bureau of Investigation's (FBI) handling of intelligence information related to the September 11 attacks was released. The OIG report examined what intelligence information the FBI had in its possession prior to the September 11 attacks that potentially was related to those attacks. The FBI Director and Congress requested that the OIG conduct this review. Among other issues, the OIG examined the FBI's handling of the Zacarias Moussaoui case; the FBI's handling of an Electronic Communication written by an FBI agent in Phoenix, Arizona (the Phoenix EC) that raised concerns about efforts by Usama Bin Laden to send students to attend United States civil aviation schools to conduct terrorist activities; and intelligence information available to the FBI regarding two of the September 11 hijackers, Nawaf al Hazmi and Khalid al Mihdhar.

In July 2004, the OIG completed and issued its full report, classified at the Top Secret/SCI level, to the Department of Justice (including the FBI), Congress, the Central Intelligence Agency (CIA), the National Security Agency, and the National Commission on Terrorist Attacks Upon the United States (9-11 Commission). In its final report, the 9-11 Commission referenced the findings from the OIG's report.

After the OIG issued the classified version of our report, several members of Congress asked the OIG to create and publicly release an unclassified version because of the significant public interest in these matters. The OIG therefore created a 371-page unclassified version of the report. However, because Moussaoui is being prosecuted in a case before the United States District Court for the Eastern District of Virginia, the rules of that Court prevented the OIG from releasing the unclassified report without the permission of the presiding judge in the case. On February 1, 2005, the OIG filed a motion in the District Court requesting leave to release publicly the unclassified version of the report. On April 28, 2005, the OIG's motion to the Court to release the unclassified report was denied.

Thereafter, the OIG redacted from the unclassified report the information requested by Moussaoui's defense counsel that related to Moussaoui and other matters. On June 7, 2005, the OIG filed a motion with the Court requesting leave to release the redacted version of the unclassified report. On June 7, 2005, the Court granted the OIG's motion and posted the redacted, unclassified report on its web site.

The OIG intends to request, when the Moussaoui case is concluded, permission from the Court to release the full unclassified report, including the information that was redacted from the version released on June 7.

The OIG's redacted, unclassified report details the FBI's handling of the Phoenix EC as well as its handling of the information about Hazmi and Mihdhar.

After an introduction in Chapter One, a background chapter (Chapter Two) describes the FBI's structure and procedures regarding international terrorism and Foreign Intelligence Surveillance Act (FISA) investigations, as well as the wall that existed between intelligence and criminal investigations.

In Chapter Three, the report describes in detail the FBI's handling of the Phoenix EC, including systemic problems that this matter revealed about the FBI's operations, as well as the performance of FBI employees related to this matter.

Chapter Four, which deals with the Moussaoui matter, has been redacted in its entirety.

In Chapter Five, the report discusses the FBI's handling of the Hazmi/Mihdhar case, including the interaction between the FBI and the CIA in this case. The report describes the systemic impediments that hindered the sharing of information between the FBI and the CIA, and assesses the individual performance of FBI employees in this matter.

Finally, Chapter Six contains the OIG's recommendations and conclusions relating to the FBI's analytical program, the FISA process, the FBI's interactions with other members of the Intelligence Community, and other matters involved in this review.

In its response to the OIG's report, the FBI described changes it has made since the September 11 attacks related to these issues. In addition, the FBI created a panel to assess whether any action should be taken with regard to the performance of FBI employees involved in these matters. We understand from the FBI that this review is ongoing.

The redacted, unclassified version of the report can be accessed at the website of the U.S. District Court for the Eastern District of Virginia at: <http://notablecases.vaed.uscourts.gov/1:01-cr-00455/docs/70656/MultiDoc.html>